

THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States District Court
Southern District of Texas
FILED

SEP 13 2010

SANDRA BROOKSHIRE, Individually,
CINDY ZELAYA, Individually and a/n/f
of NATHAN LOPEZ, and JOSE ZELAYA
a/n/f for EDGAR ZELAYA and IVAN
ZELAYA VS.

§ IN THE DISTRICT COURT OF
§
§
§
§
§ CIVIL ACTION NO. 4:10-CV-2375

David J. Bradley, Clerk of Court

SWIFT TRANSPORTATION CO., INC.
AND JOHN DOE

§
§
§
§ JURY REQUESTED

United States District Court
Southern District of Texas
FILED

SEP 15 2010

David J. Bradley, Clerk of Court

PLAINTIFFS' NOTICE OF DISMISSAL

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Plaintiffs, SANDRA BROOKSHIRE, Individually, CINDY
ZELAYA, Individually and as next of friend for NATHAN LOPEZ, and JOSE ZELAYA
as next of friend for EDGAR ZELAYA and IVAN ZELAYA and file their notice of dismissal
under Federal Rule of Civil Procedure 41(a)(1)(i) and state:

1. Plaintiffs are Sandra Brookshire, Individually, Cindy Zelaya, Individually and as n/o/f
for Nathan Lopez, and Jose Zelaya as n/o/f for Edgar Zelaya and Ivan Zelaya; Defendants are
Swift Transportation Co., Inc. and John Doe.

2. On March 31, 2010, Plaintiffs sued Defendants.

3. Defendants were served with process and have filed an answer and have not filed a
motion for summary judgment.

4. This case is not a class action.

5. A receiver has not been appointed in this action.

6. This case is not governed by any federal statute that requires an order of the court for
dismissal of the case.

7. This dismissal is without prejudice.

Respectfully submitted,

D. Miller & Associates P.L.L.C.

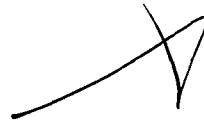


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ATTORNEY FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I certify that on September 3, 2010, a true and correct copy of the Plaintiffs' Notice of Dismissal was served by facsimile and regular mail to the following:

Lorance & Thompson
Attn: Roger D. Oppenheim
2900 North Loop West Suite 500
Houston, Texas 77092
(713) 864-4671 (facsimile)



RONI M. MOST